

FILED

February 18, 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: NM
DEPUTY

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

TRIOAK BAR D, LLC *et al.*,

Plaintiffs,

v.

GUADALUPE COUNTY, TEXAS *et al.*,

Defendants.

CIVIL NO. SA-24-CV-981-OLG

ORDER

The Court has considered United States Magistrate Judge Elizabeth S. Chestney’s (“Judge Chestney”) Report and Recommendation (the “Recommendation”) (Dkt. No. 20), filed on January 22, 2025, concerning Defendants’ Motion to Dismiss Plaintiffs’ First Amended Complaint (the “Motion to Dismiss”) (Dkt. No. 12). In the Recommendation, Judge Chestney recommended that the Motion to Dismiss be denied. No party filed objections to the Recommendation.

When no party objects to a magistrate judge's recommendation, the Court need not conduct a de novo review of the entire record. *See* U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendation to which objection is made."); *see also* FED. R. CIV. P. 72(b). Rather, the Court need only review the magistrate judge's recommendation to determine whether it is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

After reviewing the Recommendation, the Court concludes that it is correct. Accordingly, the Recommendation (Dkt. No. 20) is **ACCEPTED** and, for the reasons set forth therein, the Motion to Dismiss (Dkt. No. 12) is **DENIED**.

IT IS SO ORDERED.

SIGNED this 15 day of February, 2025.

A handwritten signature in blue ink, appearing to read "Orlando L. Garcia", written over a horizontal line.

ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE